

Appl. No. 09/771,210  
Amdt. dated December 8, 2004  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 2686

PATENT  
Docket: 990082

### REMARKS

This Response is being filed in response to the Office Action dated June 24, 2004. Enclosed separately herewith is a Request for Extension of Time to and including October 24, 2004.

Claims 1-32 are pending in the application. The Examiner rejected all claims as allegedly obvious in light of prior art references. By this paper, applicant amends claims 1, 22, 31, and 32 and requests reconsideration and allowance of all claims. Applicant respectfully requests entry of the amendment as placing all claims in condition for allowance.

#### Discussion of Rejections Under 35 USC § 103(a)

The Examiner rejected all claims as allegedly unpatentable in light of prior art references. In particular, claims 1-9, 11, 22-29, and 31-32 were rejected as allegedly unpatentable over U.S. Patent No. 6,069,871 to Sharma et al. (hereinafter Sharma) in view of U.S. Patent No. 6,122,513 to Bassirat.

Claim 1 includes a third means for redistributing network load that includes "determining which mobile stations in the wireless communications network are not currently undergoing handoff by determining whether the round trip delays (RTD) of the mobile stations are less than a configurable threshold, and initiating handoff in at least one mobile station that is not currently undergoing handoff." This feature is neither taught nor suggested by Sharma and Bassirat, either alone or in combination.

As conceded by the Examiner, Sharma fails to disclose this claimed feature. Bassirat similarly fails to teach or suggest the claimed feature. Bassirat describes extending hard handoff boundaries by the inclusion of a base station repeater. *See generally*, Bassirat, Abstract.

Bassirat describes conditions for handoff and describes using Round Trip Delay (RTD) as one condition used to determine that the mobile station is near the boundary of a coverage area. Bassirat describes how RTD values *greater than a threshold* are used to identify mobiles to trigger a handoff. *See e.g.*, Bassirat Col. 1 ll. 61-64, Col. 2 ll. 45-46, and Col. 4 ll. 22-25.

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Bassirat describes how the conditions are used to determine when a mobile triggers a handoff, and how to extend the range of a cell such that the handoff is triggered further from the base station..

In contrast, claim 1 features "determining which mobile stations in the wireless communications network are not currently undergoing handoff by determining whether the round trip delays (*RTD*) of the mobile stations are less than a configurable threshold." (*emphasis added*). This is in direct contrast to what is described in Bassirat. Additionally, claim 1 features "initiating handoff in at least one mobile station that is not currently undergoing handoff." This feature is also contrary to what is described or suggested by Bassirat.

Therefore, claim 1 is believed to be allowable over Sharma and Bassirat, either alone or in combination, because Sharma and Bassirat, either alone or in combination, fail to disclose every feature of the claim. Sharma fails to teach or suggest using *RTD*, and Bassirat describes triggering handoff in mobile stations for which the *RTD* is greater than a predetermined value, which is in contrast to the claimed features.

Claims 22, 31 and 32 includes features similar that discussed above in relation to claim 1, and are thus believed to be allowable at least for the reasons provided above in relation to claim 1. Applicant respectfully requests reconsideration and allowance of claims 1, 22, 31, and 32.

#### **Discussion of Dependent Claims**

Claims 2-21 and 23-30 depend, either directly or indirectly, from one of claims 1 and 22 and are thus believed to be allowable at least for the reasons that they depend from an allowable base claim. Applicant respectfully requests reconsideration and allowance of claims 2-21 and 23-30.

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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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